
**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : **SEALED CRIMINAL**
 : **COMPLAINT**
 -v- :
 : Mag. No. 19-MJ-7485 (CLW)
 FRANK MICHAEL MONTE :

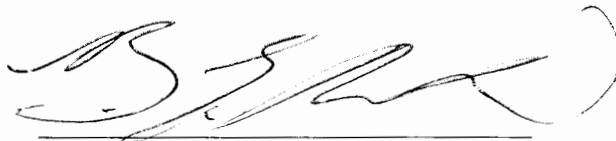
I, William Kirkland, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

SEE ATTACHMENT A

I further state that I am a Special Agent of the United States Secret Service, and that this complaint is based on the following facts:

SEE ATTACHMENT B

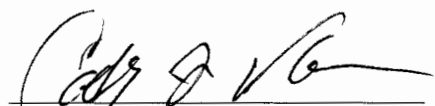
continued on the attached pages and made a part hereof.



William Kirkland
Special Agent
United States Secret Service

Sworn to before me and subscribed in my presence,
October 30, 2019 in Essex County, New Jersey

Hon. Cathy L. Waldor
United States Magistrate Judge


Signature of Judicial Officer

ATTACHMENT A

Count 1

(Threat against a Federal Law Enforcement Officer)

On or about July 21, 2019, in the District of New Jersey and elsewhere,
the defendant,

FRANK MICHAEL MONTE,

did threaten to assault and murder a federal law enforcement officer, namely Victim-1, and did so with the intent to impede, intimidate, and interfere with Victim-1 while Victim-1 was engaged in the performance of official duties, and with the intent to retaliate against Victim-1 on account of the performance of Victim-1's official duties.

In violation of Title 18, United States Code, Section 115(a)(1)(B).

Count 2
(Threat in Interstate Commerce)

On or about July 21, 2019, in the District of New Jersey and elsewhere,
the defendant,

FRANK MICHAEL MONTE,

did knowingly transmit, in interstate and foreign commerce, a communication containing a threat to injure the person of Victim-1, with the intent to make a threat and with knowledge that the communication would be viewed as a threat.

In violation of Title 18, United States Code, Section 875(c).

Count 3
(Threat against a Federal Law Enforcement Officer)

On or about October 15, 2019, in the District of New Jersey and elsewhere,
the defendant,

FRANK MICHAEL MONTE,

did threaten to assault a federal law enforcement officer, namely Victim-2, and did so with the intent to impede, intimidate, and interfere with Victim-2 while Victim-2 was engaged in the performance of official duties, and with the intent to retaliate against Victim-2 on account of the performance of Victim-2's official duties.

In violation of Title 18, United States Code, Section 115(a)(1)(B).

Count 4
(Threat in Interstate Commerce)

On or about October 15, 2019, in the District of New Jersey and elsewhere,
the defendant,

FRANK MICHAEL MONTE,

did knowingly transmit, in interstate and foreign commerce, a communication containing a threat to injure the person of Victim-2, with the intent to make a threat and with knowledge that the communication would be viewed as a threat.

In violation of Title 18, United States Code, Section 875(c).

Count 5
(Threat against a Federal Law Enforcement Officer)

On or about October 18, 2019, in the District of New Jersey and elsewhere, the defendant,

FRANK MICHAEL MONTE,

did threaten to assault a federal law enforcement officer, namely Victim-2, and did so with the intent to impede, intimidate, and interfere with Victim-2 while Victim-2 was engaged in the performance of official duties, and with the intent to retaliate against Victim-2 on account of the performance of Victim-2's official duties.

In violation of Title 18, United States Code, Section 115(a)(1)(B).

Count 6
(Threat in Interstate Commerce)

On or about October 18, 2019, in the District of New Jersey and elsewhere,
the defendant,

FRANK MICHAEL MONTE,

did knowingly transmit, in interstate and foreign commerce, a communication containing a threat to injure the person of Victim-2, with the intent to make a threat and with knowledge that the communication would be viewed as a threat.

In violation of Title 18, United States Code, Section 875(c).

ATTACHMENT B

I, William Kirkland, am a Special Agent with the United States Secret Service. I have knowledge of the following facts based upon both my investigation and discussions with other law enforcement personnel and others. Because this Affidavit is being submitted for the sole purpose of establishing probable cause to support the issuance of a complaint, I have not included each and every fact known to the government concerning this matter. Where statements of others are set forth herein, these statements are related in substance and in part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the date alleged.

Background

1. At times relevant to this Complaint:
 - a. The defendant, FRANK MICHAEL MONTE, resided at various locations within New Jersey, including multiple facilities operated by the U.S. Department of Veterans Affairs (the "VA").
 - b. Victim-1 was a Federal law enforcement officer employed by the VA Police.
 - c. Victim-2 was a Federal law enforcement officer employed by the United States Secret Service (the "USSS"). Victim-2 was assigned to the USSS field office in Morristown, New Jersey.
 - d. Officer-1 was a Federal law enforcement officer employed by the United States Capitol Police (the "Capitol Police").
2. Prior to July 2019, law enforcement, including the USSS, were aware of MONTE's history of criminal conduct, including harassing and threatening conduct toward now-President Donald Trump and various judicial officers and civilians in New Jersey, Florida, and elsewhere.
3. On or around July 3, 2019, the USSS field office in Baltimore, Maryland received a telephone call from an individual claiming to be MONTE (the "White House Threat"). During that call, the caller stated that he had placed a bomb in the White House and threatened to kill the President. USSS agents immediately investigated this incident.
4. Also, on or around July 3, 2019, USSS agents assigned to investigate the White House Threat located MONTE at a homeless shelter in Morristown, New Jersey. USSS agents asked MONTE about the White House Threat. MONTE denied making the call. During this interview, MONTE became

agitated and belligerent, claiming, in sum and substance, that “Trump owed him” and that he had prevented the second September 11 terrorist attack.

5. On or around July 17, 2019, a hearing took place at the VA campus in Lyons, New Jersey (the “Lyons Campus”) to determine whether MONTE should be subject to involuntary civil commitment for mental health treatment. Based on MONTE’s history and concern about the White House Threat, two USSS agents, including Victim-2, attended the hearing. Victim-2 testified during the hearing. Due to Victim-2’s concern for personal safety and fear of reprisal by MONTE, Victim-2 was permitted to identify without revealing Victim-2’s actual name.

6. MONTE remained involuntarily committed at the Lyons Campus from in or around July 2019 until in or around September 2019.

The July 21, 2019 Threat against Victim-1 (Counts 1 and 2)

7. On or about July 21, 2019, MONTE began placing numerous harassing and threatening telephone calls to the emergency line of the VA Police station at the Lyons Campus. During those calls, MONTE cursed at staff and harassed the dispatcher even after being told to stop calling the emergency line.

8. Victim-1 spoke with MONTE during one of these calls. During that call, MONTE stated to Victim-1, in part: “I’m going to shoot you up.”

The October 15, 2019 Threat against Victim-2 (Counts 3 and 4)

9. On or about October 15, 2019, MONTE placed a telephone call to a federal congressional office and spoke with a staff member who works at that office.

10. During that call, MONTE claimed that he was in New Jersey. MONTE stated, in part, that the Secret Service was trying to “frame” him for previously calling in a bomb threat to the White House. During that call, MONTE also stated, in part, that if he “ever sees [Victim-2] in New Jersey, he will knock him the fuck out.” During that call, MONTE further stated, in part, “if I ever gets the chance, he will come to D.C. to solve the problem himself.”

11. MONTE’s statements were conveyed by law enforcement to Victim-2 while Victim-2 was in New Jersey.

The October 18, 2019 Threat against Victim-2 (Counts 5 and 6)

12. On or about October 18, 2019, MONTE placed a telephone call to

Officer-1.

13. During that call, MONTE asked Officer-1 to come with MONTE to Morristown, New Jersey—the location of the USSS field office to which Victim-2 was assigned—to have a “conversation” with Victim-2. MONTE further stated, that he was going to Morristown, that “it won’t be much of a conversation,” and that he would drag Victim-2 out from behind his desk, “kick his ass,” and “put him in the hospital.”

14. Officer-1 told MONTE that he would convey MONTE’s comments to the USSS. MONTE then told Officer-1 that he, MONTE, was on his way to Morristown.

15. MONTE’s statements were conveyed by law enforcement to Victim-2 while Victim-2 was in New Jersey.